

State of New Mexico
County of Rio Arriba

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or,
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/s/ Bruce D. Black
BRUCE D. BLACK
UNITED STATES
DISTRICT JUDGE
(Published October 27,
November 3, 10 & 17,
2011)

sher's Bill

515 lines one time at 360.50

515 lines 3 times at 927.00

Affidavit 5.00

Subtotal 1,292.50

Tax 150.82

Total 1,398.32

Payment received at Rio Grande SUN

Date October 19, 2011

By [Signature]

I, Robert Trapp, being first duly sworn, declare and say I am the Publisher of the **Rio Grande SUN**, a weekly newspaper published in the English language and having a general circulation in the County of Rio Arriba, State of New Mexico, and being a newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 of the Session Laws of 1937. The publication, a copy of which is hereto attached, was published in said paper once each week for 4 consecutive weeks and on the same day of each week in the regular issue of the paper during the time of publication and the notice was published in the newspaper proper, and not in any supplement. The first publication being on the

27th day of October, 2011and the last publication on the 17th day ofNovember, 2011. Payment for said advertisement has been duly made, or assessed as court costs. The undersigned has personal knowledge of the matters and things set forth in this affidavit.Robert Trapp PublisherSubscribed and sworn to before me this 17th
day of November A.D. 2011

[Signature]
Maria V. Lopez Garcia /Notary Public
My commission expires 13 July 2013

**IN THE
UNITED STATES
DISTRICT COURT
FOR THE DISTRICT
OF NEW MEXICO**

**STATE OF
NEW MEXICO,
EX REL.
STATE ENGINEER
PLAINTIFF,
69CV07941-BB-LFG
VS.**

**RIO CHAMA
STREAM SYSTEM
ROMAN ARAGON,
ET AL.,**

**SECTION 7,
CANONES CREEK
DEFENDANTS.
NOTICE AND ORDER
TO SHOW CAUSE**

TO ALL CLAIMANTS,
KNOWN AND UNKNOWN, WHO CLAIM A
RIGHT TO USE THE
SURFACE OR UNDER-
GROUND WATERS OF
THE CANONES CREEK
SUBSECTION OF SECTION
7 OF THE RIO CHAMA
STREAM SYSTEM AND
TO ALL OF THE FOLLOWING WHO
CLAIM A RIGHT TO
USE SURFACE WATER
FOR IRRIGATION PURPOSES
IN THE CANONES CREEK
SUBSECTION OF SECTION
7 OF THE RIO CHAMA
STREAM SYSTEM AND
WHOSE NAMES APPEAR BELOW:

**DAGGET DITCH NO. 1
PRIORITY 1902**

Defendants: E. Truman
Caudill, Jane Caudill,
Catherine Clemens,
James R. Clemens, Kin-
slow-Herbert Living
Trust, John D. Morrow,
James H. Renken Irrevocable
Trust B, Patty S. Terrell,
Sherry D. Wingo,
Turner A. Wingo

**DAGGET DITCH NO. 2
PRIORITY 1902**

Defendants: Dale R. Elliott,
Virginia V. Elliott,
Patrick S. Hogan, Karam
Living Trust, Patty S. Terrell

**DAGGET DITCH NO. 3
PRIORITY 1902**

Defendants: Duncan
Family Ltd. Partnership,
Jim Ewbank, Orlinda
Naranjo, M. Edwina
Wood, Warren T. Wood

**DAGGET DITCH NO. 4
PRIORITY 1902**

Defendants: Jeb McNeil
Binkley Trust, Margaret
Burt Binkley Trust, Sargent
Mac Gregor Binkley
Trust, Jim Ewbank, Orlinda
Naranjo

**DAGGET DITCH NO. 5
PRIORITY 1902**

Defendants: Karam Living
Trust

**GENTRY DITCH NO. 1
PRIORITY 1902**

Defendants: Raleigh K.
Gardenhire, Johnna
Weaver

**GENTRY DITCH NO. 2
PRIORITY 1902**

Defendants: Patty S. Terrell

**CANONES DITCH NO. 1
PRIORITY 1861**

Defendants: El Barranco
LLC, Gene H. Gurule,
Juan F. Gurule, Antonio
L. Martinez, Deborah L.
Martinez, Eleuterio Martinez
Jr., Ida Martinez,
Johnny A. Martinez, Jose
Antonio Martinez, Jose
Onesimo Martinez Jr.,
Jose Oriando Martinez,

Lizette M. Martinez, Lucille
E. Martinez, Lynette
Martinez, Manuel Martinez,
Marcus J. Martinez,
Michael A. Martinez,
Paul Martinez, Raymond
R. Martinez, Robert Martinez,
Robert E. Martinez,
Gonzalo H. Martinez Family
Trust, Genevieve Mestas,
Darlene Moya, Clorinda L.
Nunez, Ramon R. Nunez,
River Bend Ranch, LLC,
Sadie Sanchez

**CANONES DITCH NO. 2
PRIORITY 1861**

Defendants: El Barranco
LLC, Donald A. Gonzales,
Mary Ellen Burns
Gonzales, Deborah L.
Martinez, Earl James
Martinez, Eleuterio Martinez
Jr., Lizette M. Martinez,
Michael A. Martinez,
Gonzalo H. Martinez Family
Trust, Clorinda L. Nunez,
Ramon R. Nunez, River Bend
Ranch, LLC

**UNNAMED DITCH NO. 1
PRIORITY 1861**

Defendants: Mary Ellen
Burns Gonzales

**UNNAMED DITCH NO. 2
PRIORITY 1861**

Defendant: Donald A.
Gonzales, Mary Ellen
Burns Gonzales

**UNNAMED DITCH NO. 3
PRIORITY 1861**

Defendants: Charles E.
Ezell, Dorothy W. Ezell,
Maurice A. Ezell, Arta C.
Smith, Leo L. Smith

**UNNAMED DITCH NO. 4
PRIORITY 1861**

Defendants: Charles E.
Ezell, Dorothy W. Ezell,
Maurice A. Ezell, Arta C.
Smith, Leo L. Smith

**BARRANCO DITCH
PRIORITY 1861**

Defendants: Elviria S.
Abeyta, Jose M. Abeyta,
El Barranco LLC, Benjamin
A. Gallegos Jr., John
J. Gallegos, Mary Gallegos,
Antonio Garcia, Cecilia
Grimes, Deborah L.
Martinez, Earl James
Martinez, Eleuterio Martinez
Jr., Lizette M. Martinez,
Marcus J. Martinez,
Michael A. Martinez, Patrick
D. Martinez, Rose L.
Martinez, Ted D. Martinez,
Terry L. Martinez, Gonzalo
H. Martinez Family Trust,
River Bend Ranch, LLC, Larry
E. Rivera, Cleofas Sanchez,
Clorinda Sanchez, Jose A.
Sanchez, Medardo Sanchez
Jr., Miguel R. Sanchez,
Sanchez Family Trust, Rita
Trujillo, Cleo B. Valdez,
Crystal H. Valdez, Roxanne
H. Valdez

**SANCHEZ Y CHAVEZ
DITCH
PRIORITY 1877**

Defendants: El Barranco
LLC, Ursula Germaine
Vicenti Gallegos, Cleofas
Sanchez, Miguel R. Sanchez,
Sanchez Family Trust

**SARGENT CANONES
DITCH PRIORITY**

November 27, 1931

Defendants: Edward L.
Binkley III, Jeb McNeil
Binkley Trust, Margaret

Burt Binkley Trust, Sargent
Mac Gregor Binkley, Diamond
S Ranch, Rice Living Trust,
Charles R. Sanders, Darlene
Sanders, Derek Strauch,

**NORTH CANONES
DITCH
PRIORITY**

December 11, 1923

Defendants: Charles E.
Ezell, Dorothy W. Ezell,
Maurice A. Ezell, Mary
Ellen Burns Gonzales,
Arta C. Smith, Leo L. Smith

**H.N.D. DITCH
PRIORITY**

December 1, 1922

Defendants: El Barranco
LLC, Mundy Ranch Inc.
You are hereby notified
that the Court has entered
an order requiring you to
file an objection with the
Court if you disagree with
the State's proposed
determination of the
priority date of your
water right and ditch,
or the priority dates for
any other community or
private ditch in the
Canones Subsection of
Section 7 of the Rio Chama
Stream System ("Canones
Subsection") as described
above. The priority dates
for the ditches listed
above will apply to all
individual irrigation
water rights served by
the ditches listed above,
unless you or other
persons file objections.
The priority dates for
ditches listed above will
also apply to a spring
that serves as a source
of water for irrigators
under those ditches, and
which is described on
individual subtitle orders
filed with the Court.
Defendants that have
previously agreed to a
priority date for their
water rights in the
Canones Subsection in
subtitle orders filed
with the Court may not
object to the dates of
their own water rights,
but may file objections
to the proposed determination
of the priority dates
of other water users.
In addition, you are
hereby notified that the
Court has entered an
order requiring you to
file an objection with
the Court if you disagree
with the State's proposed
determination of the
irrigation water
requirements for surface
water irrigation use in
the Canones Subsection
for lands irrigated
under pre-1907 ditches
as described below:

a. The weighted
consumptive irrigation
requirement (CIR) is 1.05
acre-feet per acre per
annum.

b. The farm delivery
requirement (FDR) is 1.5
acre-feet per acre per
annum.

c. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

d. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

e. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

f. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

g. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

h. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

i. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

j. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

k. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

l. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

m. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

n. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

o. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

p. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

q. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

r. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

amounts apply are all of
the ditches identified
above with the exception
of the Sargent Canones
Ditch, North Canones
Ditch and H.N.D. Ditch.

You are hereby notified
that you are required to
file an objection with the
Court if you disagree
with the State's proposed
determination of the
irrigation water
requirements for surface
water irrigation use on
lands in the Canones
Subsection that are
irrigated under final
licenses issued by the
Office of the State
Engineer, as described
below:

**Sargent Canones Ditch
(OSE No. 1975):**

a. The weighted
consumptive irrigation
requirement (CIR) is 1.05
acre-feet per acre per
annum.

b. The farm delivery
requirement (FDR) is 1.5
acre-feet per acre per
annum.

c. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

d. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

e. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

f. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

g. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

h. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

i. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

j. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

k. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

l. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

m. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

n. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

o. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

p. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

q. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

r. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

s. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

t. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

u. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

v. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

w. The project diversion
requirement (PDR) is 2.5
acre-feet per acre per
annum.

off-farm diversion
requirement is defined as
the quantity of water,
exclusive of effective
precipitation, which is
diverted from the stream
or an off-farm source to
satisfy the farm delivery
requirement for one
calendar year. The
irrigation water
requirements set forth
above do not include
diversion requirements
associated with stock
ponds or other
impoundments
determined to have
valid water rights in
these proceedings.

If you agree with the
priority dates and
irrigation water
requirements described
above, you do not
need to take any
action. If any
objections are filed
by any persons you
may participate in
the proceedings to
resolve those
objections. If no
objections are filed,
the Court will enter
an order that
recognizes the
elements of the
water rights for
surface water
irrigation use in
the Canones
Subsection as
described above.
If you disagree,
you must follow
the instructions
below.

This will be your
only opportunity
in these proceedings
to object to the
determination of
priority dates or
irrigation water
requirements in
the Canones
Subsection. Subsequent
inter se proceedings
in the Canones
Subsection will not
include the opportunity
to object to those
determinations.

IT IS THEREFORE
ORDERED THAT if you
object to any of the
priority dates stated
above, or to the
irrigation water
requirements for
surface water
irrigation use in
the Canones
Subsection as stated
above, you must
file your objection
with the Court, in
person or by mail,
FOR RECEIPT NO
LATER THAN
December 15, 2011:

United States
District Court Clerk
333 Lomas Blvd. NW,
Suite 270
Albuquerque, NM 87102

If you timely file an
objection the Special
Master or the Court
will notify you of a
mandatory scheduling
and pretrial
conference, where you
will learn how
objections will be
heard by the Court.
This will be your
only opportunity to
object to these
elements of your
water rights or any
other water rights.
If you fail to
timely object and
attend the scheduling
and pretrial
conference you may
not raise objections
in the future.

If you have any
questions, call or
write:
Edward G. Newville
Special Assistant
Attorney General
Office of State
Engineer
P.O. Box 25102

Public
2013